

1 OF 4

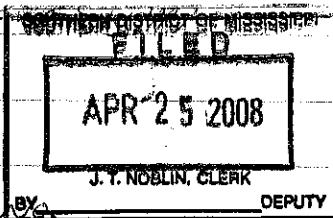
JHS

3:08cv267-TSL-JCS

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

JACKSON DIVISION



6 VS ALBERT L. MILLER

7 CHRISTOPHER EPPS, Commissioner MDOC

8 AMERICAN CORRECTIONAL ASSOCIATION

9 Does 1-20

DEFENDANTS

CASE 3

BY

APR 25 2008

J.T. NOBLIN, CLERK

DEPUTY

42 USC 1983 TUESDAY TRIAL DEMAND

1. PERSONAL INJURY

2. VIOLATIONS OF STATE LAWS ON SMOKING

3. VIOLATIONS ON ACT STANDARDS

4. VIOLATIONS ON CONSTITUTIONAL RIGHTS

10

11

12 PLAINTIFF ALBERT L. MILLER, # R8140 A RESIDENT OF THE STATE
 13 OF MISSISSIPPI, PRESENTLY IS INCARCERATED IN A STATE PRISON,
 14 SOUTHERN MISSISSIPPI CORRECTIONAL INSTITUTIONS LOCATED AT P.O. BOX
 15 1419 LEAVESVILLE, MS 39451. PLAINTIFF HAS NOT FILED ANY OTHER
 16 PETITIONS FOR HABEAS CORPUS PURSUANT TO 28 USC § 2254 OR ANY
 17 42 USC § 1983 EVER.

18

19

20 CHRISTOPHER EPPS, COMMISSIONER (MDOC) MISSISSIPPI DEPARTMENT OF
 21 COLLECTIONS, LOCATED AT 723 NORTH PRESIDENT STREET
 22 JACKSON, MS 39202 IS SURE IN HIS OFFICIAL AND SUPERVISORY
 23 CAPACITY HE SET IN MOTION A SERIES OF EVENTS HE KNEW ABOUT
 24 OR SHOULD HAVE KNOWN ABOUT THAT LED TO MY INJURIES
 25 AND DAMAGES.

26

27

28

AMERICAN CORRECTIONAL ASSOCIATION, LOCATED AT 4380 FORBES BLVD
 LANHAM, MARYLAND 20706, ALSO A ACCREDITATION ASSOCIATION FOR
 MDOC, IN MISSISSIPPI DOES BUSINESS THERE ALSO AT 723 NORTH PRESIDENT

2054
JHS

1 STREET, Jackson, MS 39202, is sued in its official and
2 supervisory capacity. This defendant set in motion a series
3 of events that they knew about or should have known about
4 that led to my injuries and damages.

5
6 Does 1-20 proper identities are not yet known but Plaintiff
7 Reserves the right to name them as they become known.
8

9 Christopher EPPS and American Correctional Association have
10 both strictly for profit ignored and broke well established state
11 laws and accreditation policies. Plaintiff first let defendants
12 know of his smoking addiction in 2004 to prison officials
13 because he was having pain in his chest and it effected
14 his lung disease. They never followed the new "use of
15 tobacco" policies nor the "no smoking in state buildings" policies.
16 which would have forced me to stop smoking 23 hours a day
17 in help in side the housing facilities. This illegal action
18 has caused my injuries and damages.
19

20 FIRST CAUSE OF ACTION

21 PERSONAL INJURY

22 All defendants in this complaint caused my medical injuries,
23 lung disease, headaches and pain.

25 SECOND CAUSE OF ACTION

26 VIOLATIONS OF STATE LAWS ON SMOKING
27 STATE LAW REQUIRES NO SMOKING IN A STATE BUILDING AND
28 DEFENDANTS IGNORE THEM TO MAKE A PROFIT OFF OF TABACCO

3 of 4

JHS

1 Taking away my chance to quit smoking and
2 furthering my damages and injuries.

3

4

THIRD CAUSE OF ACTION

5

Violations of ACA Standards

6

ACA Standard: NCCHA Standards; P-F-05

7

Defendants violate this standard on the use of tobacco.

8

They implement a 1998 standard that was clearly replaced in 2004.

9

The American Correctional Association's self, since this and

10

other violations committed by MOOC allows them to be

11

Accredited undeniably. This is based on the ACAs part

12

and it violate their tax exempt status.

13

14

FOURTH CAUSE OF ACTION

15

Violations of Constitutional Rights

16

EIGHT AMENDMENT

17

This is deliberate indifference and well established as

18

a violation on inmates rights regarding to smoke free

19

environment.

20

Administrative Remedies

21

A ARP was filed and the statute of limitation was violated

22

as MOOC has ignored other ARPs on this subject

23

see case no (SMCI-08-09) The court is my only option

24

because my health and life is in imminent danger.

25

26

27

28

4 of 4
JTS1
Relief

2 1) For All State laws to be interpreted as no smoking
3 in State Buildings, THIS Do include Inmates Housing Camps.
4

5 2) ACA standards: NCCHA standards: P-F-05 to be Fully
6 enforced, stop smoking by inmates Housing Areas and provide
7 me with educational materials to stop smoking.

8

9 3.) \$ 1,000,000 For Actual Damages

10

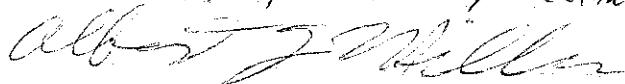
11 4.) \$ 5,000,000 for Punitive Damages

12

13 5.) All cost of THIS litigation to be covered by Defendants

14

15 I UNDER THE PENALTY OF PERJURY declare all THE ABOVE IS TRUE.

16 
Albert J. Miller

17
18
1920
21

22

23

24

25

26

27

28

Albert Miller # R8140
SNC-IT-E-1149
P.O. BOX 1419
Leakesville, MS. 39451

STN. USMCE PAYBLE AL MAIL
SOUTH MISSISSIPPI
NA

THE EXCLUDED LETTER WAS NOT OPENED
NOR INSPECTED
ENCLOSED ANY

MATERIAL NOT RELATED TO THE BUSINESS
OR ENCLOSED CORRESPONDENCE FOR FORWARDING
TO ANOTHER ADDRESS
PLEASE RETURN THE
ENCLOSURE TO THE ABOVE ADDRESS

APPROVED FOR LEGAL MAIL

APR 23 2008

USDC
P.O. BOX 23552
JACKSON, MS. 39225

RECEIVED

APR 25 2008

Clerk U.S. District Court
Southern District of Mississippi

OFFICE OF LEGAL SERVICES
INMATE LEGAL MAIL
SOUTH MISSISSIPPI CORRECTIONAL INSTITUTION
LEAKESVILLE, MS 39451

